

Senate Bill 192

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CHAPTER 101

AN ACT to create 66.297 of the statutes, relating to discontinuance of public grounds in cities of the 1st class.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

66.297 of the statutes is created to read:

66.297 DISCONTINUANCE OF PUBLIC GROUNDS. (1) In every city of the 1st class, the common council may vacate in whole or in part such highways, streets, alleys, grounds, waterways, public walks and other public grounds within the corporate limits of the city as in its opinion the public interest requires to be vacated or are of no public utility, subject to s. 80.32 (4). Such proceedings shall be commenced either by a petition presented to the common council signed by the owners of all property which abuts upon the portion of the public facilities proposed to be vacated, or by a resolution adopted by the common council. The requirements of s. 281.04 shall apply to proceedings under this section.

(2) All petitions or resolutions shall be referred to a committee of the common council for a public hearing on such proposed discontinuance and at least 7 days shall elapse between the date of the last service and the date of such hearing. A notice of such hearing shall be served on the owners of record of all property which abuts upon the portion of the public facilities proposed to be vacated, in the manner provided for service of a summons.

(3) If the common council initiates a discontinuance proceeding by resolution without a petition signed by all of the owners of the property which abuts the public facility proposed to be discontinued, any owner of property abutting such public facility whose property is damaged thereby may recover such damages as provided in ch. 32.

(4) The common council may also order that an assessment of benefits be made and when so ordered the assessment shall be made as provided in s. 66.60.

Approved June 15, 1965.